

3637. Misbranding of Dr. Mozley's lemon elixir. U. S. v. 6 Cases of a Product Labeled "Dr. Mozley's Lemon Elixir" * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5736. I. S. No. 22404-h. S. No. E-43.)

On May 27, 1914, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cases of a product labeled "Dr. Mozley's Lemon Elixir," remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the product had been transported from the State of Georgia into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act. The shipping cases were labeled: "2 Doz. Small Lemon Elixir Prescription of H. Mozley, M. D. Guaranteed under The Pure Food & Drug Act June 30, 1906. No. 2164. Mozley Lemon Elixir Co. Atlanta, Ga." (Shipping directions on top with brush) "Howard Drug & Med. Co., Baltimore, Md." (With crayon) "Valdosta Drug Co., Valdosta, Ga." The retail packages were labeled: "In 1872 Dr. Mozley put on the market this preparation, which he had successfully used for many years in his professional practice. None genuine without the name and picture of H. Mozley, M. D., on front label. Any imitation of this label, or the name of this preparation will be prosecuted to the full extent of the law. Dr. H. Mozley's Lemon Elixir and Herb Compound The Ideal Laxative Regulates the Liver, Stomach and Bowels. Contains 15 Per Cent Alcohol. A Substitute for all Cathartic and Liver Pills, Castor Oil and All Cathartic and Liver Medicines. For the cure of Diseases caused from a diseased Liver, Kidneys and Constipation, such as Chills, Fever, and Headache, Dizziness, Biliousness, Bad Breath, Sour Stomach, Indigestion, Pains in Back, Side, or Limbs, Bad Colds, &c. It Purifies the Blood. It does not make you sick while acting. No restriction of diet or habits required while taking the Elixir. It acts directly upon the Liver and Bowels, Stomach and Kidneys, at the same time gives strength and vigor to the whole system. Full directions on other side. Price, 50 cents. Prepared by Mozley Lemon Elixir Co., Atlanta, Ga., from the Original Prescription of H. Mozley, M. D. Guaranteed under the food and drugs act, June 30, 1906, No. 2164.

"Directions for Using. For Adults.—Dose One to Two Tablespoonfuls. For Children.—Two Months to One Year Old.—One half to One Teaspoonful.

"The Elixir should be taken in all cases where you feel first symptoms of approaching disease. No danger in taking the Lemon Elixir or acquiring a habit that will require its continued use, as it does not irritate or debilitate the bowels. The Elixir is a strengthening, invigorating tonic, acting directly on the liver, stomach, kidneys, bowels and blood, leaving them in an active, vigorous condition, instead of weakening and debilitatng them, as all pills, and in fact, all other liver and cathartic medicines do, by their too powerful action, A natural easy action once or twice daily is all we want, and keep it up until health is restored.

"Repeat the dose of Elixir before each meal until it acts freely on the bowels 2 or 3 times. In all cases of Neuralgia, Chills and Fever, Aching Limbs, Pains in the Back or Sides, and all Bilious attacks take the Elixir in medium doses two or three times daily before meals, as you find it necessary to keeping the bowels and liver regulated, acting at least twice each day freely. At the same time, take two grains of Quinine three times a day until relieved.

"As a Substitute for Liver and Cathartic Pills.

"In all cases of Constipation, Headache, Colds, Liver Complaints, &c., take a medium dose at bedtime and before breakfast. Be controlled by the effect, as all you want is to regulate the bowels and liver naturally. Reduce or increase the dose to secure this effect.

"Use the same in all cases of indigestion, Offensive Breath, Flatulence or Belching, Swollen Stomach or Bowels, dull heavy feeling after meals, Nervousness, Want of Sleep at Night, Impure Blood, Scrofula, Scurvy, Pimples, Bad Taste in the Mouth, Sallow Complexion, Coated Tongue, Failing Appetite, Jaundice, Debility, Night Sweats, Copper Blotches on the Face and Neck, Kidney Diseases, High Color of the Urine, etc.

"Children take the Elixir without danger. Dose for a child two months to one year old, one half to one teaspoonful. Dose of Quinine for a child two months to one year old one-fourth to one-half grain. Increase the Elixir and Quinine according to age.

"Ladies, for all female irregularities, will find Lemon Elixir a pleasant and thoroughly reliable remedy, without the least danger of possible harm to them in any condition peculiar to themselves.

"Lemon Elixir will not fail you in any of the above named diseases, all of which arise from a torpid or diseased liver, stomach or kidneys."

Misbranding of the product was alleged in the libel for the reason that the claims in the label of said product of the medicinal value and therapeutic effects were misleading, false, and fraudulent.

On September 18, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 12, 1915.*